IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.14391 of 2008
RAM SEWAK MALAKAR
Versus
THE STATE OF BIHAR

3/ 16.5.2008 Heard.

Petitioner, Ram Sewak Malakar, is an accused in a case instituted under sections ¾ of the Explosives Substance Act, section 17 of the CLA Act, section 150, 151, 152, 153 of the Indian Railway Act.

There is allegation that some unknown persons tried to blow up railway track by exploding bomb and it was suspected that the members of the banned organization (MCC) might have hand in the commission of the offence. The petitioner's name appeared in the confessional statement of co-accused.

Learned advocate submitted that the petitioner has been falsely implicated in this case and the petitioner is neither office bearer of the MCC nor he has got any concern with the alleged banned organization and in the entire case diary noting has come against the petitioner that he is involved in this case. It is further submitted that under similar circumstances other co-accused have been enlarged on bail by a Bench of this court.

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Learned APP concedes that except the confessional statement of co-accused there is no material against the petitioner in the case diary.

Considering the submission, petitioner Ram Sewak Malakar is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai, in connection with Barauni (Zero Mile) P.S. case no.367 of2007.

JA/- **(Syed Md. Mahfooz Alam, J.)**

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